

### REMARKS

This is in response to the Official Action dated 4 April 2004 issued in accordance with the practice established under *Ex parte Quayle* that is currently outstanding with respect to the above-identified application.

Claims 1-19 were present in this application as of the time of the issuance of the currently outstanding Official Action. By the foregoing Amendment, Claims 14-16 are cancelled, without prejudice. No Claims are amended, and no New Claims are added. Accordingly, upon the entry of the foregoing Amendment, Claims 1-13 and 17-19 will constitute the claims under active prosecution in this application.

A version of the claims (including appropriate status identifiers) as they will stand upon the entry of this amendment is set forth above as required by the Rules.

More specifically, it is noted that in the currently outstanding Official Action, the Examiner has:

1. Failed to advise Applicants concerning whether or not the new formal drawings submitted on 28 July 2003 that add the legend -- PRIOR ART -- to Figures 6-10 are acceptable. **Applicants presume from the fact that the Examiner has declared prosecution on the merits of this application to be closed that the Examiner has accepted the new formal drawings submitted on 28 July 2003. Should this presumption be incorrect, Applicants respectfully request that the Examiner notify their undersigned representative concerning any changes deemed necessary by telephone as soon as possible.**

2. Maintained his objection to Claims 14-16 for failing to particularly point out and distinctly claim the subject matter that Applicants regard as the invention on the basis that it is unclear from the current wording of Claim 14 why a clock signal is generated but never used later in the claim, and his indication that Claims 14-16 would be allowable if rewritten in a manner overcoming the foregoing objection (note: the Examiner refused entry to Applicants' Amendment dated 24 April 2004 on the grounds that the proposed amendment raises new issues that would change the scope of the invention previously claimed and prosecuted, require further consideration, and raise new issues under 35 USC 112, first paragraph);
3. Indicated that Claims 1-13 and 17-19 are allowed.

Further comment concerning items 1 and 3 are not deemed to be necessary in these Remarks.

With respect to item 2, Applicants thank the Examiner for the courtesy accorded to their undersigned representative during the course of a series of telephone interviews wherein the foregoing situation and issues were discussed. Unfortunately, no agreement was reached during this series of telephone interviews concerning mutually acceptable wording for Claims 14-16. Further, the Applicants hereby acknowledge a series of telephone interviews between the Examiner and their undersigned representative during which the Examiner informed the Applicants representative that Applicants' Second Amendment in Response to Official Action Under Ex Parte Quayle has been duly received by the United States Patent and Trademark Office but for unknown reasons has not been forwarded to him for action.

By the foregoing Amendment, Applicants have elected to cancel Claims 14-16 without prejudice. Accordingly, only allowed Claims 1-13 and 17-19 will remain under active prosecution upon the entry of the foregoing Amendment.

Since the result of the entry of the foregoing Amendment will be that only allowed claims will remain in this application, Applicants respectfully submit that the present application now is in condition for allowance. Reconsideration and a decision so holding in response to this communication, therefore, are respectfully requested.

Applicants also believe that additional fees beyond those submitted herewith are not required in connection with the consideration of this response to the currently outstanding Official Action and/or the concurrently filed Request for Continued Examination. However, if for any reason a fee is required, a fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge and/or credit Deposit Account No. **04-1105**, as necessary, for the correct payment of all fees which may be due in connection with the filing and consideration of this communication and/or the concurrently filed Request for Continued Examination.

Respectfully submitted,

Date: December 1, 2004

  
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SIGNATURE OF PRACTITIONER

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